

## A resource worth cherishing

### Why another bishops' document?

You may well ask why we need a document from the Bishops of England and Wales when we have so much authoritative teaching on 'life issues' from Rome in the Catechism, in *Evangelism Vitae* and in other documents, and when we have so many books from theologians and philosophers on these topics. What can the Bishops add to the authority of the Pope, the experience of lay Catholics and the expertise of academic theologians?

This is not simply a flippant question but touches on the deeper theological question of the role of bishops in the Church. The Second Vatican Council in its document on the Church revived the early Christian understanding of the bishop as the fullness of the sacrament of order, among whose duties proclaiming the gospel has pride of place (*Lumen Gentium* 25). While this proclamation must be done in communion with the universal Church (and hence with Peter), and must be draw upon the gifts of the local Church (the experience of the lay faithful and the fruits of Catholic scholarship), it falls to the bishops of a particular region to see that the gospel is preached within their locality in a way that speaks to the needs and sensibilities of the people. It is for this reason that the foreword to the universal Catechism encourages "the writing of new local catechisms which take into account various situations and cultures, while carefully preserving the unity of faith and fidelity to Catholic doctrine".

The immediate catalyst for writing this document seems to have been the reaction to *The Common Good*, the Bishops' document of Catholic social teaching. *The Common Good* was widely appreciated, but it was also criticised by some for the relative weakness of its treatment of issues related to life. The introduction makes it explicit that *Cherishing Life* was intended to remedy this weakness by acting as a complement to *The Common Good*.

### Style and approach

In general the style and the approach of *Cherishing Life* exemplifies both the virtues and the vices of the English. There is a palpable desire always to emphasise the positive and to agree with prevailing views whenever possible. This attitude is made explicit in the introduction, 'we have sought to present our teaching in positive terms, although from time to time we have been critical of opposed views'. It is perhaps this tendency which is at work in the failure to identify the source of the quotation from Saint Irenaeus, 'the glory of God is a human being fully alive, and full life for a human being is the vision of God' (*CL*, paragraph 35). As it stands it is positive and uplifting but to give the title of the work from which the quotation comes – *Against Heresies* – would unsettle the tone the document is trying to create!

On the other hand this softening of tone, rightly detected by some commentators, does not signal any substantial difference from official Roman doctrine. Hard sayings on contraception, divorce or homosexuality are not suppressed for the sake of avoiding conflict. So, for example, paragraph 123, states that, 'The sexual union of a man and a woman is "ordained in itself to the procreating of new life"'. Similarly paragraph 136, 'The Catholic Church continues to bear witness to the indissolubility of marriage

by its sacramental discipline’, and paragraph 114, ‘attempting to create a legal category of “same-sex marriage” threatens to undermine the meaning and status of marriage’. If someone is looking for a radical revision of the tradition here, then he or she will be disappointed.

Though in general this document does not duck the hard issues, one exception is the question of the legitimacy to using condoms to prevent passing on AIDS. There is clearly a difference in intention between using condoms for this reason and using condoms as a contraceptive. Nevertheless, even with this different intention, placing a physical and symbolic barrier in the way of full sexual union is difficult to reconcile with the tradition Catholic teaching on sexuality. The heated debate over this question has been widely reported both in the secular and religious press (especially in the pages of *The Tablet*). However, on this matter *Cherishing Life* offers a resounding silence. It neither sanctions nor condemns. It says only that ‘the only assured way to prevent passing on such an infection is to express love in ways other than through sexual intercourse’ (CL, 170). It is at this point perhaps you see the greatest tension between the wish to present their teaching in positive terms and the determination to remain faithful to Catholic doctrine.

Such tensions, and the many hands that have clearly been involved in the production of the document, have resulted in a style that is more uneven than that of *The Common Good*. The earlier document possessed a unity of content and approach that made it much easier to bring together. In contrast, *Cherishing Life* ranges over contemporary signs, fundamental moral principles and specific questions as diverse as prayer, marriage, medical ethics, war and the responsibility of voters.

The style is thus sometimes official (for example paragraph 29: ‘The Second Vatican Council and recent popes have developed and defended a Christian account of human rights and of corresponding responsibilities founded on the dignity of the human person’), sometimes melodramatic (for example paragraph 172: ‘in Germany in the era of the Nazis... many doctors co-operated in enforced sterilisation programmes and in the extermination of disabled and dependent elderly people’) and occasionally even whimsical. My favourite examples are paragraphs 53: ‘We should always think of soul and life together as in the phrase “the life and soul of the party”’ and 81: ‘Prayer and the way we live go hand in hand because, for believers, God is as real as the air we breathe’.

### **What is in it?**

The document begins by considering the present state of the world, the ‘signs of the times’. In this it takes its lead from the Second Vatican Council and especially the document on the *Church in the Modern World* (*Gaudium et Spes*). After this, and before moving on to particular moral questions, there is a long section on moral principles entitled ‘acting morally’. This is a considered move, for it would have been possible, and perhaps expected, to move directly on to particular issues. In fact, this section is one of the strengths of the document, for some differences on morals clearly touch upon fundamental questions about where we get our ethical principles from, in what sense they can be said to be objective, and what duties we have to follow conscience and Church teaching in moral matters.

The 'acting morally' section considers natural law, conscience, virtue, authority in morals and the role of revelation. In doing so it shows remarkable clarity and balance. It is stated both that everyone has a duty to follow his or her conscience, even when it is mistaken, and also that everyone has a duty to inform his or her conscience. The document also shows a creditable degree of realism in its definition of conscience. It repeats the saying of John Henry Cardinal Newman that conscience is, 'that personal core and sanctuary where an individual stands before God' (CL, 42). However, rather than starting with this definition, in a way that might lead to a sort of mystical subjectivism, it starts by defining conscience as 'the ability to make considered judgements recognising the moral quality of an action' (CL, 42). Conscience makes claims on us and is a sacred sanctuary precisely *because* it is that faculty that directs us towards the objectively good and true, albeit in a fallible way. In this and other regards the document shows evidence of the guiding influence of Thomas Aquinas.

Another notable theme in the section on moral principles is the subsection on 'theological foundations'. This highlights the general character of *Cherishing Life* as a forthrightly theological document. It frequently appeals to principles of reason and experience, but it is not ashamed to put forward explicitly theological reasons for believing and acting. This is evident in its opening paragraph, 'In the words of the Gospel, Jesus came so that people "may have life and have it to the full" (John 10:10)' (CL, 1). A weakness of *The Common Good* was its neglect of Scripture. The whole document contains only one Biblical quotation in its 120 paragraphs – and even then it does not give the reference (paragraph 14 quoting Matthew 25:40). In contrast, *Cherishing life*, contains 43 explicit Scripture quotations in its 219 paragraphs, and so many indirect allusions I was not able to count them.

Having explored the foundations of moral action the document then discusses many specific issues under the general structure of 'walking humbly', 'loving tenderly' and 'acting justly'. The first section looks at the spiritual search for meaning and the virtue of temperateness. It is here that environmental issues are discussed. The second section looks at friendship, sexuality and marriage. It contains an interesting treatment of the importance of friendship and the role and calling of the many people who are neither married nor committed to celibacy but are presently single. The last of these three sections looks at medical ethics from healthcare allocation to euthanasia, and then goes on to consider the ethics of law, punishment and war.

An obvious question to ask is, what unites these different issues? Why have some been chosen and others omitted? It is not a comprehensive guide to Christian morality, for example there is nothing about the proper use of money or about truth-telling, and the treatment of some subjects is cursory while others receive detailed attention. If your main interest in environmental theology or the ethics of warfare this would not be a document to start with. The main interest of the document is bio-medical ethics – abortion, euthanasia, cloning and embryo research, and the secondary interest is marriage and sexual morality. Other issues are only present to give context (and remind the reader that the two focal themes are not the only spheres of moral concern). However, the overall effect is to make these other issues seem marginal. My own view is that the document, which is already overlong, would have been much better had it concentrated only on medical ethics and had not tried to treat so many other subjects. Nevertheless, there is interesting material here and there are plenty of

references to other Bishops' documents that do more justice to the other issues mentioned.

### **The timeliness of the document**

Without doubt *The Cherishing Life* is timely and it is also useful in exploring moral foundations and principles that do not date. However, with regard to public policy there have already been several developments since the document was published. Paragraph 114 states that while 'attempting to create a legal category of same-sex marriage threatens to undermine the meaning and status of marriage. Nonetheless, it may be necessary, as many have argued, to remedy by law unjust situations in which the bonds of friendship are improperly disregarded (for instance, being excluded from appropriate consultation regarding medical care or from funeral arrangements).' Since that was written the Civil Partnership Bill has been approved by parliament without substantial amendments. The Bill gives homosexual couples who contract a civil partnership similar rights to married couples. During its passage the House of Commons rejected an amendment that would have extended the Bill to cover siblings, carers and others living together in non-sexual relations. Had these amendments been approved, the Bill would have offered legal protection without attempting to create a legal category of same-sex marriage. However, it seems that the intention of the Bill was less concerned with practical matters of justice and more concerned with redefining marriage. The teaching of the bishops in *Cherishing Life*, which attempted to defend a middle way for public policy on these matters, has already been sidelined.

Several paragraphs in *Cherishing Life* are also relevant to provisions in the controversial Mental Capacity Bill being considered by parliament at present. In particular the proposed Bill fails to respect the principle that 'in general, providing food and fluids should also be considered basic care' (CL, 185). It also fails to acknowledge that 'experimental procedures which carry an appreciable risk and are not for the subject's benefit should never be conducted on human beings who cannot consent' (CL, 162). Finally it gives further legal sanction to the kind of advance directives criticised in *Cherishing Life* (CL, 156). It remains to be seen what amendments will be added to the Bill to ameliorate these failings, but the shape of the initial draft does not augur well for the treatment of those with disability.

On the other hand, one recent positive change in the law has given children conceived by assisted reproduction the right to know about their genetic parents. *Cherishing Life* laments that 'the children of donor parents currently have no legal right to search for these parents' (CL, 129). However, from April 2005, children conceived after this date will have such a right, while children already conceived will have the right to non-identifying information (such as race, religion and whether their parent has other children). Not all news is bad news.

### **Using *Cherishing Life***

*Cherishing Life* is not the sort of document that is easy to read at one sitting, and as mentioned above the sudden changes of subject and style can be quite dizzying. If a camel is a horse designed by a committee, this document is definitely a camel! Yet there is plenty here of interest and individual sections are generally written in a clear and accessible style. It is best read a subsection at a time and give a lot of time to

digest, reflect and react. Several sections of the document seem to me particularly useful – the sections on moral action (28-52), on friendship, sex and marriage (96-146) and on medical ethics (53-64, 152-187). Each of these repays study and each could form the basis of a series of discussions.

The establishment of the RCIA as well as various renewal programmes, lay movements and other initiatives have helped foster many small groups meeting in parishes all over the country. *Cherishing Life* offers a resource that could be the focus for such a group for a number of weeks. Happily, the Bishops' have also had the foresight to provide material to accompany the document which could be used in small group discussion (which can be seen on their website). Many of the issues discussed are sure to provoke disagreement, but, in the right context, this need be no bad thing. Indeed, the informing of conscience requires that we think through matters for ourselves, else we cannot apply moral principles in our own lives. Despite some unevenness in style and lack of focus in content, I believe that this is a very valuable document. *Cherishing Life* gives the voice of the Bishops of England and Wales on vital moral issues in a form that is both accessible and usable.

*Cherishing Life* is published as an attractive A5 book available from the Catholic Truth Society for £4.95 a copy plus postage and packing.

Dr David Jones is senior lecturer in bioethics at St Mary's College and author of *The Soul of the Embryo* (Continuum 2004).